

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 13, 2001

DIVISION TWO

B141974 People (Not for Publication)
v.
Ray

The judgment is modified to provide that a parole revocation fine in the amount of \$200 is imposed pursuant to Penal Code section 1202.45 and that the parole revocation fine is suspended unless parole is revoked. As modified, the judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

B122558 Siddiqui (Not for Publication)
v.
Hughes Aircraft Company et al.

The portion of the judgment finding defendants liable to plaintiff, awarding judgment notwithstanding the verdict on the issue of punitive damages, and awarding \$20,000 for emotional distress is affirmed. That portion of the judgment awarding damages for lost earnings only is reversed, and that matter is remanded to the trial court for retrial. Each party to bear his or its costs on appeal.

Nott, J.

We concur: Boren, P.J.
 Mallano, J. (Assigned)

DIVISION THREE

B129863 People (Not for Publication)
v.
Tommy Simmons, III

The judgment is affirmed. The trial court shall order the abstract of judgment corrected to indicate a sentence of life without possibility of parole on count one, and forward a corrected copy to the Department of Corrections.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B134600 People (Not for Publication)
v.
Michael Urias

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B142741 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Miguel O.

The order is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FOUR (Continued)

B137494 People (Certified for Partial Publication)
v.
Steven Gonzales et al.

Michael Gonzales's sentence is reversed because of the sentencing errors we have discussed and the matter remanded for resentencing on the restitution fine and the enhancement under section 186.22. In all other respects the judgments of conviction are affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION SEVEN

B122714 Ching Chung Yu (Not for Publication)
v.
Santa Monica Home Ownership Company et al.

The judgment of the trial court is affirmed. Respondents' motion for sanctions against Kwan is denied. Respondents are entitled to recover their costs on appeal.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

B140961 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Kathleen T.

The order of the trial court is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B133502 Susan E. Baric (Not for Publication)
 v.
 Robert Bruce Hume

The judgment of the trial court is affirmed. Respondent is entitled to recover his costs on appeal.

Johnson, J.

We concur: Lillie, P.J.
 Woods, J.

B141871 People (Not for Publication)
 v.
 Marquesha W.
 In re Marquesha W., a Person Coming Under the Juvenile Court Law.

The order under review is affirmed.

Johnson, J.

We concur: Lillie, P.J.
 Woods, J.

B142151 People (Not for Publication)
 v.
 Oscar Gonzalez

The judgment and the order refusing to suppress evidence is reversed and the case is remanded to the trial court for further proceedings in conformity with this opinion.

Johnson, J.

I concur: Lillie, P.J.
I dissent: Woods, J. (Opinion)

February 13, 2001-Continued

DIVISION SEVEN (Continued)

B141955 People (Not for Publication)
v.
Alberto Rojas

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

B129254 People (Not for Publication)
v.
George Mason

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

B141736 People (Not for Publication)
v.
Bounthavy Yaek Yasa

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

February 13, 2001-Continued

DIVISION SEVEN (Continued)

B131409 People (Not for Publication)

V.

Curry Dante Thomas and Darrell Lee Williams

The judgments are affirmed.

Johnson, J.

We concur: Lillie, P.J.

Woods, J.

B130572 Lisa T. Hervatin (Not for Publication)

V.

Craig Knickerbocker et al.

The judgment of the trial court is affirmed. Respondents shall recover their costs on appeal.

Neal, J.

I concur: Woods, J.

I concur and dissent: Johnson, Acting P.J. (Opinion)

B140979 People (Not for Publication)

V.

Jesse D.

The trial court's orders are affirmed.

Neal, J.

We concur: Lillie, P.J.

Johnson, J.

DIVISION SEVEN (Continued)

B137467 Wells Fargo Bank N.A. (Not for Publication)

v.

Bonnie Beaumont, a Monir, etc., et al.

Gary L. Zerman

The trial court's judgment is reversed, and the case is remanded with the direction that the funds deposited by Wells Fargo into court be released to appellant Zerman. Appellant shall recover his costs on appeal.

Neal, J.

We concur: Johnson, Acting P.J.

Woods, J.

B132265 Theodore M. Mather, Jr., et al. (Not for Publication)

v.

World Savings & Loan Association

The judgment is affirmed. World Saving shall recover its costs on appeal.

Neal, J.

We concur: Lillie, P.J.

Johnson, J.

B138167 People (Not for Publication)

v.

Gregory A. Franklin

B 141316 In re Gregory A. Franklin on Habeas Corpus

The judgment is affirmed, and the petition for writ of habeas corpus is denied.

Neal, J.

We concur: Johnson, Acting P.J.

Woods, J.

DIVISION SEVEN (Continued)

B140706 Wild Side West, Inc. (Not for Publication)
v.
State Board of Equalization of the State of California

The judgment is affirmed. Wild Side West shall recover its costs on appeal.

Neal, J.

We concur: Lillie, P.J.
 Johnson, J.

B134297 David Topper et al. (Not for Publication)
v.
M.A.G. Engineering & Manufacturing, Inc.

The summary judgment is reversed. Appellant shall recover their costs.

Neal, J.

We concur: Lillie, P.J.
 Woods, J.

B142985 Los Angeles County, D.C.F.S. (Not for Publication)
v.
La'Keyshema C.
In re Sherena A., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
 Woods, J.

DIVISION SEVEN (Continued)

B144854 In re Jeffrey L. Caito (Not for Publication)
 on
 Habeas Corpus

The judgment of conviction is vacated, and the case remanded to allow Caito to withdraw his plea and proceed to trial.

Neal, J.

We concur: Lillie, P.J.
 Johnson, J.

B127435 Bartha
 v.
 Cohen

Filed order denying petition for rehearing.

110982-01

The HONORABLE RICHARD C. NEAL, Retired Associate Justice of the Court of Appeal, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Seven, as a Justice thereof, on the following dates:

February 16, 2001
February 23, 2001
February 28, 2001

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

Dated: February 13, 2001

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council